

P-519, 403/CP-89-703 ORDER CERTIFYING POLLING RESULTS, DENYING  
PETITION AND CLOSING DOCKET

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm  
Tom Burton  
Marshall Johnson  
Cynthia A. Kitlinski  
Dee Knaak

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Petition for  
Extended Area Service from the  
Easton Exchange to the Wells  
Exchange

ISSUE DATE: October 8, 1993

DOCKET NO. P-519, 403/CP-89-703

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**PROCEDURAL HISTORY**

On August 23, 1989, subscribers in the Easton exchange petitioned for extended area service (EAS) to the Wells exchange. Easton is served by the Easton Telephone Company.

On July 5, 1990, the Commission issued its ORDER REQUIRING FILING OF COST STUDIES AND PROPOSED RATES in the above-captioned matter. In that Order the Commission found that the Easton exchange is adjacent to the Wells exchange, and that sufficient traffic volume was sustained between the petitioning exchange and the petitioned exchange. The EAS petition had thus met the first two of three requirements under the EAS statute, Minn. Stat. § 237.161.

On January 19, 1993, the Commission issued its ORDER SETTING REVISED RATES FOR POLLING.

Between June 30 and August 31, 1993, Easton subscribers were informed of the proposed EAS rate additives and were polled to determine if a majority favored the installation of EAS to the Wells exchange.

The Commission met on September 14, 1993, to consider the results of the polling.

**FINDINGS AND CONCLUSIONS**

Under Minn. Stat. § 237.161, the Commission shall grant a petition for the installation of EAS only if the following three criteria are met:

1. The petitioning exchange is contiguous to an exchange or local calling area to which extended area service is requested in the petition;

2. At least 50 percent of the customers in the petitioning exchange make one or more calls per month to the exchange or local calling area to which extended area service is requested, as determined by a traffic study;
3. Polling by the Commission shows that a majority of the customers responding to a poll in the petitioning exchange favor its installation, unless all parties and the Commission agree that no polling is necessary.

In this case, the Commission has previously determined that the petition has fulfilled the first and second requirements of the EAS statute. The Commission must now determine if the third and final criterion has been fulfilled.

Approximately 68 percent of Easton subscribers responded to the EAS poll. Of those responding, 36 voted in favor of the installation of EAS and 132 voted against it. Since a majority of those responding did not vote in favor of EAS, the petition has failed to meet the third and final criterion under Minn. Stat. § 237.161.

The Commission will certify the polling results, deny the petition, and close the docket.

#### ORDER

1. The Commission certifies the polling results set forth in this Order.
2. The Easton-Wells EAS petition is denied.
3. Within 10 days of the date of this Order, Easton Telephone Company shall submit to the Commission a proposed notice of polling results, in the form of a bill insert. After receiving Commission Staff approval of the proposed notice, Easton Telephone Company shall notify its Easton customers of the polling results in the earliest possible billing cycle.
4. Within 30 days after it has given notice to Easton subscribers, Easton Telephone Company shall notify Commission Staff of that fact in writing and this docket will be closed.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Susan Mackenzie  
Acting Executive Secretary

(S E A L)